

Jennings County Commissioner Meeting

Government Annex Building, Commissioners Meeting Room

February 13, 2020 6:30 pm

All members were present.

Matt Sporleder led the Pledge of Allegiance.

Michelle Matern from Animal Control spoke on an incident that happened January 24, 2020, where a woman's (Maggie Meador) 2 dogs (pitbulls) got out while she was at work. They killed 2 cats and attempted to attack the cat's owner. He then called dispatch for help. When they arrived the deputy did fire his weapon at the male pitbull because he did go after him as well. He did miss and the dog retreated. Maggie complied, putting the dogs in the Animal Control truck. She signed over the female because of her aggression toward other animals. Animal Control has had Demon (the male) for a couple of weeks. He has not shown aggression to Animal Control staff but he has to new people that he sees. He could potentially be a public safety issue if he were to get out. If she is allowed to keep the dog there will be stipulations as far as keeping him contained in a fence, wearing a muzzle, etc. Michelle said that if he ever gets out, whether aggressive or not, they will take possession and put him down. Maggie said she is working on getting a chain link fence. Also there is a total of \$560.00 fees and Animal Control is willing to work with her on a payment plan to take care of this. She is also required to get a rabies vaccine. She also said getting him neutered will help with the aggression. Bob Willhite made the motion to allow Maggie Meador to have her dog returned to her as long as she follows the guidelines that have been set. Dave Lane seconded. Motion passed unanimously.

Nicci Lucas from HR requested 3 travel requests, Jim Reeves for the 106th Purdue Road School March 9-12. It will be Brian Ponsler, Tony Gudgel and himself attending. All Commissioners approved this.

Also she has 2 from Amy Thompson. Amy attended an HR class with AIC on Tuesday February 11. She had some scheduling issues and did not get this in prior to the meeting as she was unsure if she could go. She did go and paid the training fee up front and will put in a claim for that. Also on March 9-10 will be the Southern District Clerk Meeting. This is at Clifty Falls State Park. She, Jennifer Heumann and Brenda King will be attending. They will spend the night for 1 night with rooms at a rate of \$94.00. Bob Willhite made the motion to allow. Dave Lane seconded. This passed unanimously.

Nicci also introduced Dan Brookbank who is her recommendation for the Veterans Service Officer. After speaking with all of the Commissioners she did offer the position to him and he has accepted. He will start Tuesday February 18, 2020. She has invited him so the Commissioners are able to meet him and ask any questions. He served in the Air Force. She also went over his other qualifications. He then spoke on his behalf and his plans for the future. His new office will be across from the City Building in the previous mayor's office. The Commissioners welcomed him.

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Nicci, along with Dave Gerth, then spoke on overtime/comp time for Rescue 20. She referred to the handbook and how comp time is calculated. Those hours must be actual hours worked and do not include holidays or vacation time, etc. Dave said he feels he has been doing this incorrectly. Nicci has gotten with Ellie Bright and they have come up with the manual amendment (see handout) specifically for EMS Department. Bob Willhite made the motion to sign the amendment to the handbook. Dave Lane seconded. Motion passed unanimously.

Mary Kilgore, President of Jennings County Tourism Commission, presented the resignation of Sue Fenton from the Tourism Board. She is recommending Chris Asher in her place. She has been acting as interim since Susie Hall has resigned and been the acting treasurer. She has a lot of knowledge to Jennings County and is the director of the Historical Society. Bob Willhite made the motion to appoint Chris Asher to replace Sue Fenton. Dave Lane seconded. Motion passed unanimously.

Dave Turner from the Sheriff's Department asking if there has been anything done on the Ordinances. Ellie said when it was done at the last meeting; they did the 1st reading of the ordinance. Marie noted that it was very similar to a zoning ordinance that they have. Ellie looked through Jennings County Codes and the zoning ordinances are not within the Jennings County Codes but they need to be. Marie has a committee working on revising all of their zoning ordinances. Brad Kage, APC attorney, is working on revising and drafting these. Once that is done then they will go into the Jennings County Code to see if there is anything that is inconsistent or different with this Noise Ordinance. She said the first reading was at last meeting and the 2nd reading may be done tonight. Matt is concerned about the odor portion of the ordinance. They are also concerned about burning, as farmers occasionally have brush piles, etc. Ellie said they could make the exception to be applicable to all categories. With these amendments tonight will be the first reading. She said it would read business, commercial and agricultural and this would apply to all of them, not just noise. Bob Willhite made the motion to do restrictions on agricultural, commercial and business. Dave Lane seconded. Motion passed unanimously. This is the first reading. When it is brought back corrected next time it will be the second reading.

Dave Turner also brought up worthless property, defined by IC Code. The Sheriff's Department has a Dodge Charger that is junk. Ellie said that if the advertising and transporting it is more than its worth then it is considered junk. Dave said he's not sure what the bids will be. Someone offered \$750.00, he doesn't want the motor he just wants the body. That's higher than scrap rate. They need to advertise it in the paper and have sealed bids. He will work on a notice and list it "as is"; car will have to be painted. Ellie said she will review the notice when they get it together and then get it to Tessia to advertise.

Ellie has a letter from an Indianapolis attorney, John Moriarty of Plews Shadley Racher & Braun, who specializes in environmental law. Her recommendation is that they need to retain him to provide legal advice/consultation on the Butlerville School. She, along with Marie Shepherd, Dave Lane, Dave

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Woodall, Matt Bauguess, had a phone conference with him on February 5, 2020. He was very helpful and very direct. His fee is \$425.00/hour but he is going to let his associates do as much work as possible and that would be \$255.00/hour. They will review past school insurance policies to see if that could help on the cost and possibly consult on any liability issues. Ellie recommends using him through this process. He is very knowledgeable in this area. This has been presented to the Council. Bob Willhite made the motion to retain the attorney for the Butlerville School Project. Dave Lane seconded. Motion passed unanimously.

Ellie said she has some issues from the payroll. First issue stemmed from the meeting 3 weeks ago about the request of the payroll being done on Form 99. Nicci and Ellie had a phone conference with the SBOA on February 7 which was very informative, very helpful. They spoke with Lori Rogers at SBOA. Payroll needs to be kept on Form 99 and needs to be maintained by the Auditor's Office. 99A form needs to be maintained by HR Department or department head. Ellie said Nicci is having a meeting February 20 with an electric time keeping company in order to get the county on time keeping. Those forms could be gotten rid of when this happens. SBOA said that is an acceptable way to keep track of time. Kronos is the company and they will build it to the county's specific needs. Nicci's goal to have this up and going by July 1. Until then Ellie recommended we do what we have been doing. As long as we can show SBOA that we are implementing the time keeping system we should be ok. Nicci said it is compatible with Low. Matt said we will continue as we have been but will be moving forward with this. Matt asked if everyone was ok with that. Tessia said she has no comment on that. She feels we need to go by SBOA and what they tell us to do and we need to follow policy and IC Codes. Ellie said the only IC Code relevant to payroll is IC 5-11-1-2. Matt asked Ellie if she asked Lorie Rogers if it was ok if we continued as is as long as we were working towards electronic time keeping. She did not ask that. Ellie said she can't find where the county was reprimanded for not having this implemented. Matt said it was a verbal reprimand. Matt asked how much longer it takes to do it the correct way. Kitty Shepherd said it took her 45 seconds, Randy Shepherd said it took him 30 seconds. Randy said it is not a time issue. Matt asked the highway department who has 35 employees but Sherri was not present to confirm how long it takes her. Much discussion was held. Bob Willhite made the motion for all departments to fill out the Form 99 completely. Dave Lane seconded. Motion passed unanimously.

Ellie also brought up paying payroll vs. claims for election workers and board members. She talked to SBOA and was told if you are a county employee and if you work an election or serve on a county board (i.e. PTABOA or election board), you are considered a county employee. If you make over \$600.00/year paid by this county you will go on payroll and have taxes taken out. If you are a county employee and work an election it will go in your payroll. Tessia said she understood that even if they make below \$600.00 they are still ran through payroll with no taxes. If they are over \$600.00 they are ran through payroll, taxes taken out and get a W2. It will be done through payroll; no taxes will be taken out if under \$600.00. There is no report generated to IRS. Precinct workers will be paid by claim.

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Charlinda Evans reported for Diana Daeger for Alcohol and Tobacco Task Force stating they received a grant from the Indiana State Dept of Health. The amount is \$25,000.00. The money goes to training community members on childhood trauma and mental health and the connection to addiction. It is for anybody that works with the public with children, anybody who works with human services in our community. They would like to pursue the opportunity for this grant and seeking approval for that. Bob Willhite made the motion to support the grant process. Dave Lane seconded. Motion passed unanimously.

Jim Reeves from the county highway reported he has 2 INDOT LPA contracts. One is for Bridge 44 for preliminary engineering (bridge north of the State School). The other is for PE Bridge 66. He is requesting signatures for both of these.

Matt reported that the topic that was discussed in the Executive Session needs to be voted on. This is in regards to an employee that will allow that employee to retain their time of service with the county. Bob Willhite made the motion to allow this. Dave Lane seconded. Motion passed unanimously.

Marie Shepherd from Area Plan reported that Michael Schneider and Jason Suhre want to rezone 2 acres at 300 E and 450 N from Agricultural to Commercial Planned Business. They want to put a storage building that will house equipment and possible future offices. Marie had proposed to VAPC and central services that if they want to add a clause stating if they were to close then it would revert back to Agricultural and they chose not to make that part of the clause. There is no opposition from any neighbors. Bob Willhite made the motion to approve this request. Dave Lane seconded. Motion passed unanimously.

Marie also reported regarding Atkinson Circle in CSL the Post Office has contacted Area Plan stating there is no definition of East and/or West. What she would like to do is just call it Atkinson Circle and drop the East and West. There would be no duplicate of addresses or any changes. Bob Willhite made a motion for this change. Dave Lane seconded. Motion passed unanimously.

Tessia reported that with Comcast the county has 150 MEG connection and wanting to increase that to 300. She spoke with Jeremiah (IT) about this and he spoke with Comcast. He feels this would be a good idea to do. Upping the speed to 300 will help speed up the internet. The new WIFI is still being worked on, the cables in the walls still need to be replaced. It will be \$40.00 extra per month. Bob Willhite made the motion to increase it from 150 to 300. Dave Lane seconded. Motion passed unanimously.

Tessia presented a bill from Historic Hoosier Hills for \$500.00. This was \$250.00 in the past. She wanted to make sure the commissioners wanted to go with the increase. Bob Willhite made the motion to continue with the increase. Dave Lane seconded. Motion passed unanimously.

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Tessia also brought claims from the Election Board Members that were supposed to be paid on a claim. She wanted to make sure for the record, the commissioners agree to pay this if it is put on payroll paperwork. Tessia did not agree that they should be paid on a claim form, they should be paid through payroll thus she has to bring them before the commissioners. Bob Willhite made a motion to deny the 3 election board claims and resubmit to be paid through payroll (they will make more than \$600.00). Dave Lane seconded. Motion passed unanimously.

Erin Anderson from MUTC spoke on behalf of the Muscatatuck Museum. They would like to have a golf scramble on June 20, check-in at 7 am, shotgun start at 8 am at St. Anne's. There are 22 team spots available.

Sheriff Kenny Freeman said Jason Bliton met with Ken Whipker regarding the women's temporary housing facility that they want to build-a pole barn is ok as long as it meets safety, fire, health, and security requirements. Sheriff Freeman has a drawing of what he thinks it should be and then he wants to give it to the school drafting team and let them make it their project for awhile and get their ideas. Matt asked about the change from a modular structure to a pole barn-type structure.

Sheriff Freeman also brought up the Sheriff Retirement. He would like to extend it past 20 years to 26-32 years. There is a cost to that. In 2016 study it was \$8,000.00 more annually good through the 26 years; \$18,000.00 more annually to go through 32 years. However the way the economy is going and for the next 3 years it wouldn't take effect. The amount the county put into the fund last year was \$164,000.00. He will do more research and bring a proposal later.

Bob Willhite made the motion to approve prior minutes. Dave Lane seconded. Motion passed unanimously.

Bob Willhite made the motion to sign the payroll and claims. Dave Lane seconded. Motion passed unanimously.

Matt asked if the Koorsen Claim had been approved by County Council. They said it had already been approved in January. The Council approved it to come out of Cumulative Courthouse. The claim was taken back to Council in February with no changes. The claim will be presented again to be paid out of Special Jail Tax at Council's March meeting.

Tessia also brought up making insurance adjustments through payroll and that the commissioners are giving Nicci permission to approve those. There are 4 employees that the county owes money back from changing insurance plans. The most is \$53.00. Bob Willhite made the motion to allow Nicci to

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approve the insurance adjustments that would be reflected on payroll. Dave Lane seconded. Motion passed unanimously.

Bob Willhite made the motion to adjourn. Dave Lane seconded. Motion passed unanimously.



Tessia Salsman, Auditor



Matt Sporleder, President



Bob Willhite, Vice-President



Dave Lane, Commissioner